

construed to impose on Teva USA any obligation with respect to discovery or requests for admissions in this action that extends beyond or is otherwise inconsistent with the obligations that would be imposed on Teva Ltd. by the Federal Rules of Civil Procedure if Teva Ltd. was a party to this action.

2. Teva Ltd. and Teva USA stipulate that documents, witnesses and information in the possession, custody or control of Teva Ltd. and relating to the subject matter of this action, including the issue of damages, are in Teva USA's custody or control for purposes of discovery or requests for admissions in this lawsuit, subject to paragraph 4 below.

3. Pursuant to paragraph 2 above, the term "Teva USA," as used in discovery requests or requests for admissions in this action, will include Teva Ltd., and Teva USA will respond and object to discovery requests for information in the possession, custody or control of Teva Ltd., including requests for Rule 30(b)(6) deposition testimony, and will certify interrogatory responses containing Teva Ltd. information.

4. If the parties agree that a Teva Ltd. employee is a necessary fact witness, the witness will be made available for deposition upon notice to Teva USA. If the parties disagree about whether the employee is a necessary fact witness, or about the location of a deposition, then the parties shall present the matter to the Court for resolution. If the Court orders that the deposition of the Teva Ltd. employee shall be taken, then the witness will be made available for deposition in accordance with the terms of the Court's Order, without requiring Pfizer to comply with the requirements of The Hague Convention.

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5. If Pfizer moves the Court at any time during the pendency of this action to join Teva Ltd. as a party, and the Court orders that Teva Ltd. be so joined, counsel for Teva USA will accept service of process on behalf of Teva Ltd., without requiring Pfizer to comply with the requirements of The Hague Convention.

6. The case caption in this action shall be amended to read as follows: "Pfizer Inc., Pfizer Limited and Pfizer Ireland Pharmaceuticals v. Teva Pharmaceuticals USA, Inc., Civil Action No. C.A. No. 2:10-cv-00128-RBS-FBS."

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/s/
Rebecca Beach Smith
United States District Judge

RBS

Dated: April 27, 2010

WILLCOX & SAVAGE



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SO ORDERED this 4th day of MAY, 2010
TS

Rebecca Beach Smith
United States District Judge 

UNITED STATES DISTRICT JUDGE